REMARKS

In the Office Action mailed on May 18, 2007, the Office took the following action: (1) objected to the drawings; (2) objected to claims 3-4 and 26-28 because of informalities; (3) rejected claims 16-25 and 29-31 under 35 U.S.C. §101 as directed to non-statutory subject matter; (4) rejected claims 1-4, 7, 9-11, 13-15, 26-27, 32, 34-35, and 37-39 under 35 U.S.C. §102(b) as being anticipated by Burns et al., U.S. Patent Pub. No. 2001/0014103 (hereinafter "Burns"); (5) rejected claims 1, 5, 12, 16-17, 19-20, 22-25, 29-33, 35-36, and 40-45 under 35 U.S.C. §102(b) as being anticipated by Gile et al., U.S. Patent Pub. No. 2002/0035610 (hereinafter "Gile"); (6) rejected claims 26 and 28 under 35 U.S.C. §102(b) as being anticipated by Hunter et al., U.S. Patent Pub. No. 2002/0056118 (hereinafter "Hunter"); (7) rejected claims 1 and 7 under 35 U.S.C. §102(b) as being anticipated by Mizutani, U.S. Patent Pub. No. 2002/0046404 (hereinafter "Mizutani"); (8) rejected claim 8 under 35 U.S.C. §103(a) as being unpatentable over Mizutani, and further in view of Burns; (9) rejected claim 18 under 35 U.S.C. §103(a) as being unpatentable over Gile, and further in view of Mizutani; and (10) rejected claims 6 and 21 under 35 U.S.C. §103(a) as being unpatentable over Gile, and further in view of Walsh et al., U.S. Patent Pub. No. 2006/0031557 (hereinafter "Walsh"). Applicants respectfully request reconsideration and allowance of the subject application.

Drawing Objection

The Examiner objected to the drawings on grounds that the drawings fail to show item number 736 on Figure 7, as described in the specification on page 23, line 16. Applicants have amended the specification to remove the reference to item number 736.

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Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to the Specification.

Claim Objections

The Office objected to claims 3-4 and 26-28 because of informalities. Applicants have amended claims 3 and 26. More specifically, Applicants have amended claim 3 to recite "a location" instead of "the location" and amended claim 26 to recite "device" instead of "location." Claims 4 and 27-28 depend from claims 3 and 26, respectively. Applicants respectfully request reconsideration and withdrawal of the objection to claims 3-4 and 26-28.

Rejections under 35 U.S.C. §101

The Office rejected claims 16-25 and 29-31 under 35 U.S.C. §101 as directed to non-statutory subject matter. Applicants have amended claims 16 and 29 to direct the claimed invention to statutory subject matter. Claims 17-25 depend from claim 16 and claims 30-31 depend from claim 29. Therefore, Applicants respectfully submit that claims 16-25 and 29-31 comply with 35 U.S.C. §101. Applicants respectfully request reconsideration and withdrawal of the rejection to claims 16-25 and 29-31.

Rejections under 35 U.S.C. §102(b)

The Office rejected claims 1-4, 7, 9-11, 13-15, 26-27, 32, 34-35, and 37-39 under 35 U.S.C. §102(b) as being anticipated by Burns; rejected claims 1, 5, 12, 16-17, 19-20, 22-25, 29-33, 35-36, and 40-45 under 35 U.S.C. §102(b) as being anticipated by Gile; rejected claims 26 and 28 under 35 U.S.C. §102(b) as being anticipated by Hunter; and

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rejected claims 1 and 7 under 35 U.S.C. §102(b) as being anticipated by Mizutani. Applicants respectfully tranverse.

Claim 1

Claim 1 is presented below:

> A computer-implemented method comprising:
> receiving information <u>from a user</u> about a <u>broadcast</u> multimedia content stream generated by a device in a computer network, wherein the received information includes a specified time associated with the multimedia content stream<u>, wherein the device is a content server connected to the computer network</u>;
> scheduling a recording of the multimedia content stream at the specified time; and
> at the specified time,
> > receiving the multimedia content stream from the device; and
> > saving the multimedia content stream in a system memory.

Burns generally pertains to "schedul[ing] delivery of frequently requested content from the content provider prior to a peak time when subscribers are likely to request the content." (Abstract). The content contemplated by Burns includes "web page or other hypermedia document that has hyperlinks to various data items, such as audio and/or video clips." (Paragraph 0048, lines 9-11). "The audio and video clips referenced by the hyperlinks are stored in the continuous media server 126." (Paragraph 0048, lines 12-14).

Burns fails to disclose each element of claim 1 for at least two reasons. First, Burns does not disclose "receiving information from a user." The Office cites Burns as disclosing "using the patterns identified by the pattern recognizer 116, the scheduler 118 schedules delivery of the content at a selected time prior to the peak time." (Burns, page 5, paragraph 0047, lines 1-3). As disclosed in Burns, the scheduler does not include "receiving information from a user" as recited in claim 1.

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Second, Burns does not disclose "a broadcast multimedia content stream." The Office cites Burns as disclosing "content." (Burns, page 5, paragraph 0047, lines 1-2). However, Burns does not specifically disclose "a broadcast multimedia content stream," as recited in claim 1. Although Burns discloses "continuous data content (*e.g.*, audio or video data)," Applicants submit that this is not equivalent to "a broadcast multimedia content as disclosed in claim 1.

Gile generally pertains to "a create CD application" which enables a user to "download user selected audio/video tracks from the World Wide Web over an Internet connection." (Gile, page 1, paragraph 0013, lines 3-6). "The application schedules the selected downloaded tracks for recording to CD 112 in CD writer 110." (Gile, page 1, paragraph 0013, lines 9-10).

Gile fails to disclose each element of claim 1 for at least two reasons. First, Gile does not disclose "wherein the device is a content server connected to the computer network." Giles fails to disclose the connection of the device as recited in Claim 1. In the Office Action, originally presented claim 2 recited "wherein the device is a content server connected to the computer network" and was not rejected as being anticipated by Gile.

Second, Gile does not disclose "a broadcast multimedia content stream." The Office cites Gile as disclosing "tracks." (Giles, page 1, paragraph 0013, lines 6-10). However, Giles does not specifically disclose "a broadcast multimedia content stream," as recited in claim 1. Applicants submit that a "track" is not equivalent to a broadcast multimedia content stream as disclosed in claim 1.

Mizutani generally pertains to issuing recording instructions via the Internet to a remote computing device. (Abstract). The remote recording device includes a computer daughter board that records broadcast programs available to it according to the received recording instructions." (*Id.*)

Mizutani fails to disclose "wherein the device is a content server connected to the computer network," as recited in claim 1. In the Office Action, originally presented claim 2 recited "wherein the device is a content server connected to the computer network" and was not rejected as being anticipated by Mizutani.

The amendments to claim 1 are supported by the specification on at least page 5, line 15 to page 5, line 19. No new matter has been added. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection to claim 1.

Claims 2-5, 7, and 9-15 depend from claim 1, and thus are believed allowable at least for their dependency on the allowable base claim 1. Further, the additional limitations in these dependant claims provide limitations which are not taught by the cited reference. Although all dependant claims may recite limitations not disclosed by Burns, Gile, or Mizutani, only a few dependant claims are discussed below for sake of brevity.

Claim 2 recites, "wherein saving the multimedia content stream in a system memory includes encrypting the multimedia content stream using a digital rights management (DRM) system." A thorough search of Burns, Gile, and Mizutani fails to locate a disclosure of a DRM system. Claim 2 is supported by the specification on at least page 7, lines 8 to 20.

Claim 12 recites, "wherein receiving the multimedia content stream includes specifying a quality of the stream in relation to a bandwidth associated with a network connection." The Office relies on Gile as disclosing this recitation. Gile discloses, "A scheduler operatively associated with the user interface calculates a launch time to allow the desired information from the information service to be downloaded and recorded in its entirety before the desired completion time." (Gile, page 1, paragraph 0007, lines 5-9). However, this passage from Gile fails to disclose "wherein receiving the multimedia content stream includes specifying a quality of the stream in relation to a bandwidth associated with a network connection," as recited in claim 12. Instead, Gile discloses determining the time to begin recording the "track" such that the recording will be complete by the desired end time, which is inputted by the user.

Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection to claims 2-5, 7, and 9-15.

Claim 16

Claim 16 is presented below:

> A computer-implemented method comprising:
> enabling a user to schedule a recording of a <u>broadcast</u> multimedia content stream at a specified time;
> creating a scheduled recording task that includes information about the recording of the multimedia content stream<u>, wherein the information about the recording includes specifying a quality of the stream in relation to a bandwidth associated with a network connection</u>;
> sending the scheduled recording task to a recording service configured to perform the scheduled recording task; and
> tracking the scheduled recording task<u>, whereby the tracked scheduled recording task facilitates an output to the user</u>.

The Office rejected claim 16 as being anticipated by Gile. Applicants submit that Gile fails to disclose all of the recitations of claim 16 for at least two reasons.

First, Giles does not disclose "a broadcast multimedia content stream." The Office cites Gile as disclosing "tracks." (Giles, page 1, paragraph 0013, lines 6-10). However, Giles does not specifically disclose "a broadcast multimedia content stream," as recited in claim 1. Applicants submit that a "track" is not equivalent to a broadcast multimedia content stream as disclosed in claim 1.

Second, Giles does not disclose, "wherein receiving the multimedia content stream includes specifying a quality of the stream in relation to a bandwidth associated with a network connection." As presented in dependent claim 12, the Office relies on Gile as disclosing this recitation. Gile discloses, "A scheduler operatively associated with the user interface calculates a launch time to allow the desired information from the information service to be downloaded and recorded in its entirety before the desired completion time." (Gile, page 1, paragraph 0007, lines 5-9). However, this passage from Gile fails to disclose "wherein receiving the multimedia content stream includes specifying a quality of the stream in relation to a bandwidth associated with a network connection," as recited in claim 12. Instead, Gile discloses determining the time to begin recording the "track" such that the recording will be complete by the desired end time, which is inputted by the user.

Claims 17, 19-20, and 22-25 depend from claim 16, and thus are believed allowable at least for their dependency on the allowable base claim 16. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection to claims 16, 17, 19-20, and 22-25.

Claim 26

Claim 26 is presented below:

> An apparatus comprising:
> means for receiving information <u>from a user</u> about a multimedia content stream provided by a device coupled to a computer network, <u>wherein the received information includes a specified time associated with the multimedia content stream</u>;
> means for scheduling a recording of the multimedia content stream at [[a]]<u>the</u> specified time;
> means for receiving the multimedia content stream from the <u>device</u> ~~location~~; and
> means for saving the multimedia content stream in a storage device.

Burns fails to disclose "receiving information from a user." The Office cites Burns as disclosing "using the patterns identified by the pattern recognizer 116, the scheduler 118 schedules delivery of the content at a selected time prior to the peak time." (Burns, page 5, paragraph 0047, lines 1-3). As disclosed in Burns, the scheduler does not include "receiving information from a user" as recited in claim 1.

Hunter generally pertains to video and music distribution systems that provide blanket transmission of video/audio content to customer's recoding, storage, and playback system. (Abstract). Customers select movies from an interactive program guide. (Hunter, page 5, paragraph 0075).

Hunter fails to disclose "wherein the received information includes a specified time associated with the multimedia content stream," as recited by claim 26. Instead, Hunter only discloses customer selection of movies, etc., which are selected from an interactive guide.

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Claims 27-28 depend from claim 26, and thus are believed allowable at least for their dependency on the allowable base claim 26. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection to claims 26-28.

Claim 29

Claim 29 is presented below:

> An apparatus comprising:
> means for enabling a user to schedule a recording of a <u>broadcast</u> multimedia content stream at a specified time;
> means for creating a scheduled recording task that includes information about the recording, <u>wherein the information about the recording includes specifying a quality of the stream in relation to a bandwidth associated with a network connection;</u>
> means for sending the scheduled recording task to a recording service configured to perform the scheduled recording task; and
> means for tracking the scheduled recording task, <u>whereby the tracked scheduled recording task facilitates an output to the user</u>.

Similar to claims 16, claim 29 recites "wherein the information about the recording includes specifying a quality of the stream in relation to a bandwidth associated with a network connection." Applicants rely on the same reasoning as presented above regarding claim 16 in the rejection based on Gile.

Claims 30-31 depend from claim 29, and thus are believed allowable at least for their dependency on the allowable base claim 29. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection to claims 29-31.

Claim 32

Claim 32 is presented below:

One or more computer-readable media having stored thereon a computer program that, when executed by one or more processors, causes the one or more processors to:

determine information about a multimedia content stream provided at a device coupled to a computer network, wherein the determined information includes a specified time associated with the multimedia content stream, wherein at least a portion of the information is obtained from a user through a user interface, wherein the device is a content server connected to the computer network;

schedule a recording of the multimedia content stream at the specified time; and

at the specified time,

receive the multimedia content stream from the device; and

save the multimedia content stream in a storage device.

Burns fails to disclose "wherein at least a portion of the information is obtained from a user through a user interface." The Office cites Burns as disclosing "using the patterns identified by the pattern recognizer 116, the scheduler 118 schedules delivery of the content at a selected time prior to the peak time." (Burns, page 5, paragraph 0047, lines 1-3). As disclosed in Burns, the scheduler does not include "wherein at least a portion of the information is obtained from a user through a user interface" as recited in claim 1.

Gile fails to disclose "wherein the device is a content server connected to the computer network." Giles fails to disclose the connection of the device as recited in Claim 1. In the Office Action, originally presented claim 2 recited "wherein the device is a content server connected to the computer network" and was not rejected as being anticipated by Gile.

Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection to claim 32.

Claims 33-34 depend from claim 32, and thus are believed allowable at least for their dependency on the allowable base claim 1. Further, the additional limitations in these dependant claims provide limitations which are not taught by the cited reference. Although all dependant claims may recite limitations not disclosed by Burns, Gile, or Mizutani, only one dependant claim is discussed below for sake of brevity.

Claim 33 recites, "One or more computer-readable media as recited in Claim 32, wherein save the multimedia content stream in a storage device includes encrypting the multimedia content stream using a digital rights management (DRM) system." A thorough search of Burns and Gile fails to locate a disclosure of a DRM system. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection to claims 33-34.

Claim 35

Claim 35 is presented below:

> A computer comprising:
> a network interface configured to connect to a computer network; and
> a memory that includes a scheduled recording service configured to receive a scheduled recording task that includes information about a multimedia content stream provided by a device in the computer network, schedule a recording of the multimedia content stream at a specified time, receiving the multimedia content stream from the device, and save the multimedia content stream in the memory, including encrypting the multimedia content stream using a digital rights management (DRM) system.

As stated above regarding claims, 2 and 33, Applicants submit that both Burns and Gile fail to disclose, "including encrypting the multimedia content stream using a digital rights management (DRM) system." A thorough search of Burns and Gile fails to

locate a disclosure of a DRM system. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection to claim 35.

Claims 36-45 depend from claim 35, and thus are believed allowable at least for their dependency on the allowable base claim 35. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection to claims 36-45.

Rejections under 35 U.S.C. §103(a)

The Office rejected claim 8 under 35 U.S.C. §103(a) as being unpatentable over Mizutani, and further in view of Burns; rejected claim 18 under 35 U.S.C. §103(a) as being unpatentable over Gile, and further in view of Mizutani; and rejected claims 6 and 21 under 35 U.S.C. §103(a) as being unpatentable over Gile, and further in view of Walsh. Applicants respectfully tranverse.

Claims 6 and 8 are dependent on base claim 1 while claims 18 and 21 are dependent on base claim 16. For the reasons stated above under the §102(b) rejections, claims 1 and 16 are believed to be allowable. Therefore, claims 6 and 8, and claims 18 and 21 are believed to be allowable for their dependence on allowable base claims 1 and 16, respectively. Applicants respectfully request reconsideration and withdrawal of the rejection to claims 6, 8, 18, and 21.

Conclusion

Claims 1-45 are in condition for allowance. Applicants respectfully request reconsideration and issuance of the subject application. If there are any remaining matters that may be handled by telephone conference, the Examiner is kindly invited to telephone the undersigned.

Respectfully Submitted,

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